

## **REMARKS**

Upon entry of this Amendment, claims 1-22 will be pending in the application. Formal drawings (sheets 1-4, Figs. 1-4) are submitted herewith as an attachment to this Amendment. Figs. 2 and 4 have been amended.

### **Objections to the Drawings**

The drawings have been objected to under 37 C.F.R. 1.84(p)(5) on the ground that they do not include reference numerals 38c and 38d.

This objection is respectfully traversed. Reference numerals 38c and 38d are described in the specification at numbered paragraphs 0043 and 0046, respectively. Withdrawal of this objection is respectfully requested.

The drawings have been objected to under 37 C.F.R. 1.84(p)(4) on the ground that reference character "34a" has been used to designate both opening and seats in Fig. 4.

In response, Applicant has amended Fig. 4 to designate the opening with reference numeral 34. A marked-up copy of original Fig. 4 is attached to this amendment that clearly shows the requested change. Approval and entry of replacement Fig. 4 and withdrawal of this objection are respectfully requested.

The drawings have been objected to under 37 C.F.R. 1.84(p)(4) on the ground that reference characters 34 and 36 "designate openings in a reversed manner."

Applicant has corrected the reference characters 34 and 36 in amended drawing Fig. 2. A marked-up copy of original Fig. 2 is attached. Approval and

entry of replacement Fig. 2 and withdrawal of this objection are respectfully requested.

Applicant also has enclosed replacement Figs. 1 and 3. These figures are merely formal versions of the original.

### **Claim Rejections – 35 U.S.C. § 102**

Claims 1-22 have been rejected under 35 U.S.C. § 102(b) (hereinafter “Section 102(b)”) as being allegedly anticipated by U.S. Patent No. 5,353,203 to Bertling et al. (hereinafter “Bertling”).

It is fundamental law that a reference, to anticipate a claim under Section 102(b), must fully disclose the invention as claimed, and thus each limitation of the claimed invention must be identically disclosed in the reference. *See, e.g., Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 806 F.2d 1565, 1574, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986). Anticipation must be found in a single reference. *See, e.g., Studiengesellschaft Kohle, m.b.H. v. Dart Indus., Inc.*, 726 F.2d 724, 726-27, 220 U.S.P.Q. 841 (Fed. Cir. 1984). The absence of any element of the claim from the cited reference negates anticipation under Section 102(b). *See, e.g., Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 715, 223 U.S.P.Q. 1264 (Fed. Cir. 1984).

Independent claim 1 is not anticipated by Bertling because Bertling fails to disclose a lamp assembly which comprises a reflector wherein the reflector comprises first and second reflective concave surface regions adjacent to one another, the first reflective concave surface region comprising a first curvature for directing light emanating from a first focal point adjacent to but spaced apart from

the first reflective concave surface region into a near field beam, and the second reflective concave surface region comprising a second curvature for directing light emanating from a second focal point adjacent to but spaced apart from the second reflective concave surface region into a far field beam; a first light source positioned substantially at the first focal point, the first light source comprising a high intensity discharge light source; a second light source positioned substantially at the second focal point, the second light source comprising a halogen light source; and a light-transmissive cover fitted over the reflector, as recited in claim 1.

Bertling discloses a headlight with a reflector 10 comprising an upper reflector portion 12 with a light source 14 for making a low beam (see, e.g., col. 2, lns. 57-66), a lower reflector portion 20 with a light source 22 for making a fog light (see, e.g., col. 3, lns. 11-17), and an optional, additional reflector portion 54 “located beside the upper and lower reflector portions 12, 20 and which produces high beam light” (see, e.g., col. 5, lns. 36-40). According to Bertling, light sources 14 and 22 can be an incandescent lamp or a gas discharge lamp (col. 2, ln. 60-61; col. 3, lns. 14-15). Reflector portion 54 includes a light source 56 which Bertling generally describes as “a suitable light source” (see, e.g., col. 5, lns. 39-40).

Bertling does not disclose, for example, a lamp assembly comprising, among other limitations, a first light source comprising a high intensity discharge (HID) light source, as recited in claim 1. As noted above, Bertling states that the first and second light source can be an incandescent lamp or a gas discharge lamp (col. 2, ln. 60-61; col. 3, lns. 14-15). This is the only mention in Bertling of a gas discharge lamp. The Office

Action at page 3 suggests that Bertling discloses an HID light source at column 3, lines 10-20. However, this section of Bertling only states that “the light source 22 can also be an incandescent lamp or a gas discharge lamp” (col. 3, lns. 14-15). Bertling does not specifically disclose the use of an HID lamp, for example, such as xenon.

Furthermore, nothing in Bertling would have suggested or motivated one of ordinary skill in the art to modify the headlight in Bertling to obtain the lamp assembly including, for example, a first light source comprising an HID light source, as recited in claim 1.

Claims 2-8 are not anticipated by Bertling in that they depend from and more specifically recite the invention of claim 1. The statements set forth above with regard to claim 1 fully apply to these claims as well. Moreover, Bertling fails to disclose, for example, a lamp assembly comprising in combination with other elements: a reflector that is substantially circular as recited in claim 3, first and second reflective concave surface regions that are integral with one another as recited in claim 4, and a first light source comprising an HID light source comprising a xenon light source as recited in claim 8.

Claim 9 is not anticipated by Bertling because Bertling fails to disclose a reflector comprising first and second reflective concave surface regions adjacent to one another, wherein the first reflective concave surface region comprises a first curvature for directing light emanating from a first focal point adjacent to but spaced apart from the first reflective concave surface region into a near field beam, the first reflective concave surface region having a first peripheral edge with

opposite ends and a first internal edge extending between the opposite ends of the first peripheral edge, the second reflective concave surface region comprises a second curvature for directing light emanating from a second focal point adjacent to but spaced apart from the second reflective concave surface region into a far field beam, the second reflective concave surface region having a second peripheral edge with opposite ends and a second internal edge extending between the opposite ends of the second peripheral edge, the respective opposite ends of the first and second peripheral edges interfacing one another and the first and second internal edges interfacing one another, a first light source positioned substantially at the first focal point, the first light source comprising a high intensity discharge light source, a second light source positioned substantially at the second focal point, the second light source comprising a halogen light source, and a light-transmissive cover fitted over the reflector, as recited in claim 9.

Bertling fails to disclose, for example, a lamp assembly comprising among other elements a first light source comprising an HID light source, as recited in claim 9. The statements set forth above with regard to claim 1 apply to claim 9 as well.

Furthermore, Bertling fails to suggest to one of ordinary skill in the art to modify Bertling's teachings to obtain the lamp assembly including, for example, a first light source comprising an HID light source, as recited in claim 9.

Claims 10-17 are not anticipated by Bertling in that they depend from and more specifically recite the invention of claim 9. The statements set forth above

with regard to claim 9 fully apply to these claims as well. Moreover, Bertling fails to disclose, for example, a lamp assembly comprising in combination with other elements: first and second peripheral edges defining a substantially circular outer perimeter of the reflector as recited in claim 11, first and second reflective concave surface regions that are integral with one another as recited in claim 12, first and second internal edges that interface and adjoin one another to define a ridge as recited in claim 14, and a first light source comprising an HID light source comprising a xenon light source as recited in claim 17.

Claim 18 is not anticipated by Bertling in that Bertling fails to disclose or suggest a reflector comprising a first reflective concave surface region comprising a first curvature for directing light emanating from a first focal point adjacent to but spaced apart from the first reflective concave surface region into a near field beam, wherein the first reflective concave surface region has a first arcuate peripheral edge with opposite ends and a first internal edge extending between the opposite ends of the first arcuate peripheral edge, a second reflective concave surface region adjacent the first reflective concave surface region and comprising a second curvature for directing light emanating from a second focal point adjacent to but spaced apart from the second reflective concave surface region into a far field beam, wherein the second reflective concave surface region has a second arcuate peripheral edge with opposite ends and a second internal edge extending between the opposite ends of the second arcuate peripheral edge, and wherein the respective opposite ends of the first and second peripheral edges interface one another to

define a substantially circular outer perimeter of the reflector and the first and second internal edges interfacing one another.

Bertling does not disclose, for example, a lamp assembly comprising, among other limitations, first and second reflective concave surface regions comprising respective first and second internal edges that interface one another, as recited in claim 18 (see, e.g., Fig. 1 of Bertling).

Claims 19-22 are not anticipated by Bertling in that they depend from and more specifically recite the invention of claim 18. The statements set forth above with regard to claim 18 fully apply to these claims as well. Moreover, Bertling fails to disclose, for example, a lamp assembly comprising in combination with other elements first and second reflective concave surface regions that are integral with one another as recited in claim 19.

In view of the foregoing, claims 1-22 are not anticipated by Bertling. They are in condition for allowance, and Applicant therefore requests that the rejection be withdrawn and that these claims be allowed to issue.

### **Conclusion**

Applicant respectfully submits that claims 1-22 as pending are not anticipated by and are patentably distinguishable over the cited and applied reference, and are in condition for allowance. Reconsideration of the application is requested in view of the remarks set forth above.

A Petition for a three-month extension of time and fee are being filed concurrently herewith. If any additional fees or amounts are due in connection with

the prosecution of this application, please charge the fees to our Deposit Account No. 501324.

Dated: November 19, 2003

Respectfully submitted,



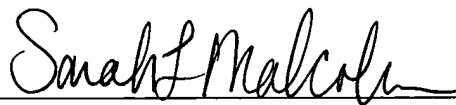
Sarah L. Malcolm  
Reg. No. 53,259

**CERTIFICATE OF EXPRESS MAILING**

Express Mail Label No.: EL 988282100 US

Date of Deposit: November 19, 2003

I hereby certify that this Amendment and Response to Office Action No. 1 with formal drawings (sheets 1-4, Figs. 1-4) and annotated Figs. 2 and 4 are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.





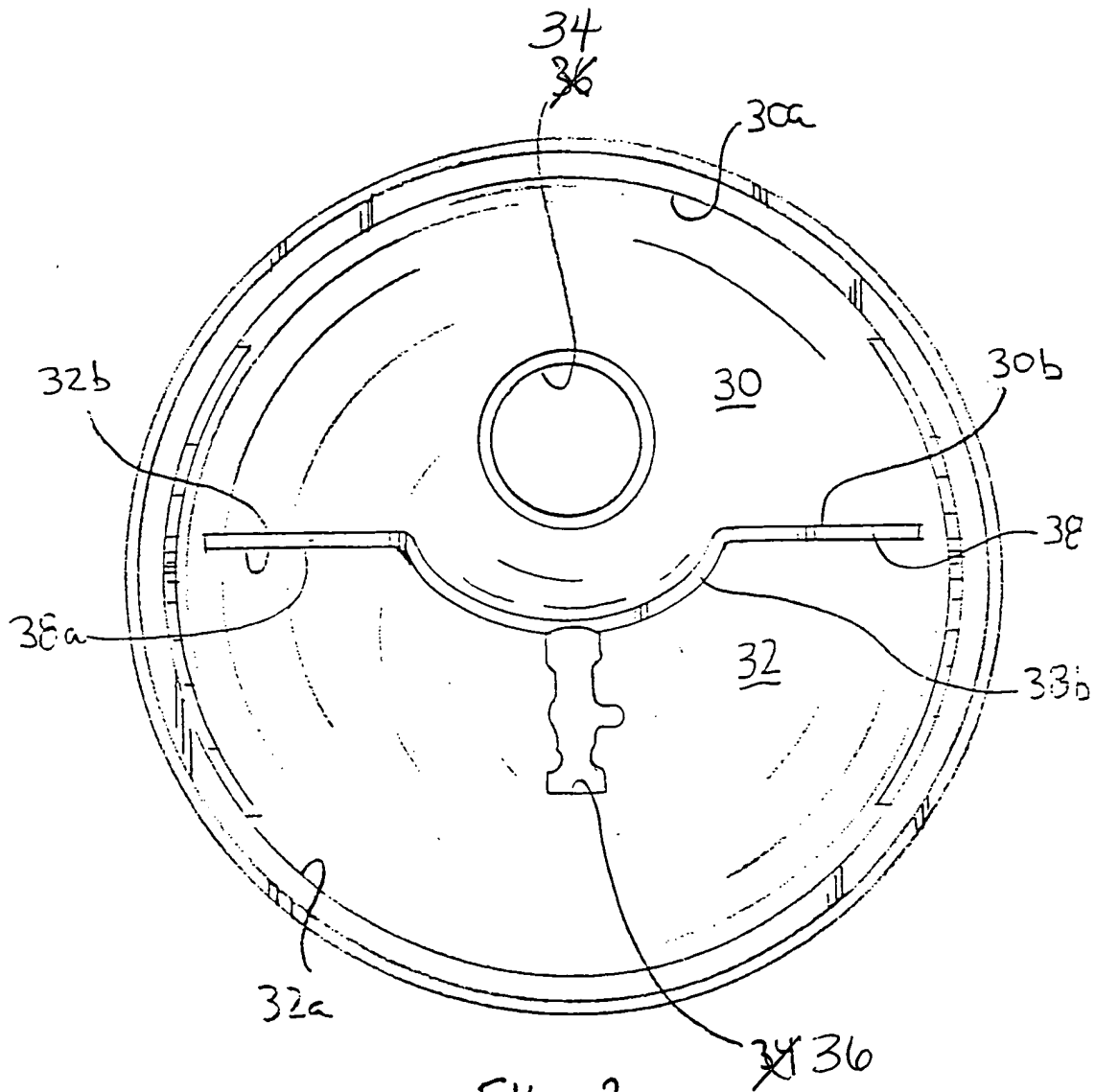


Fig. 2

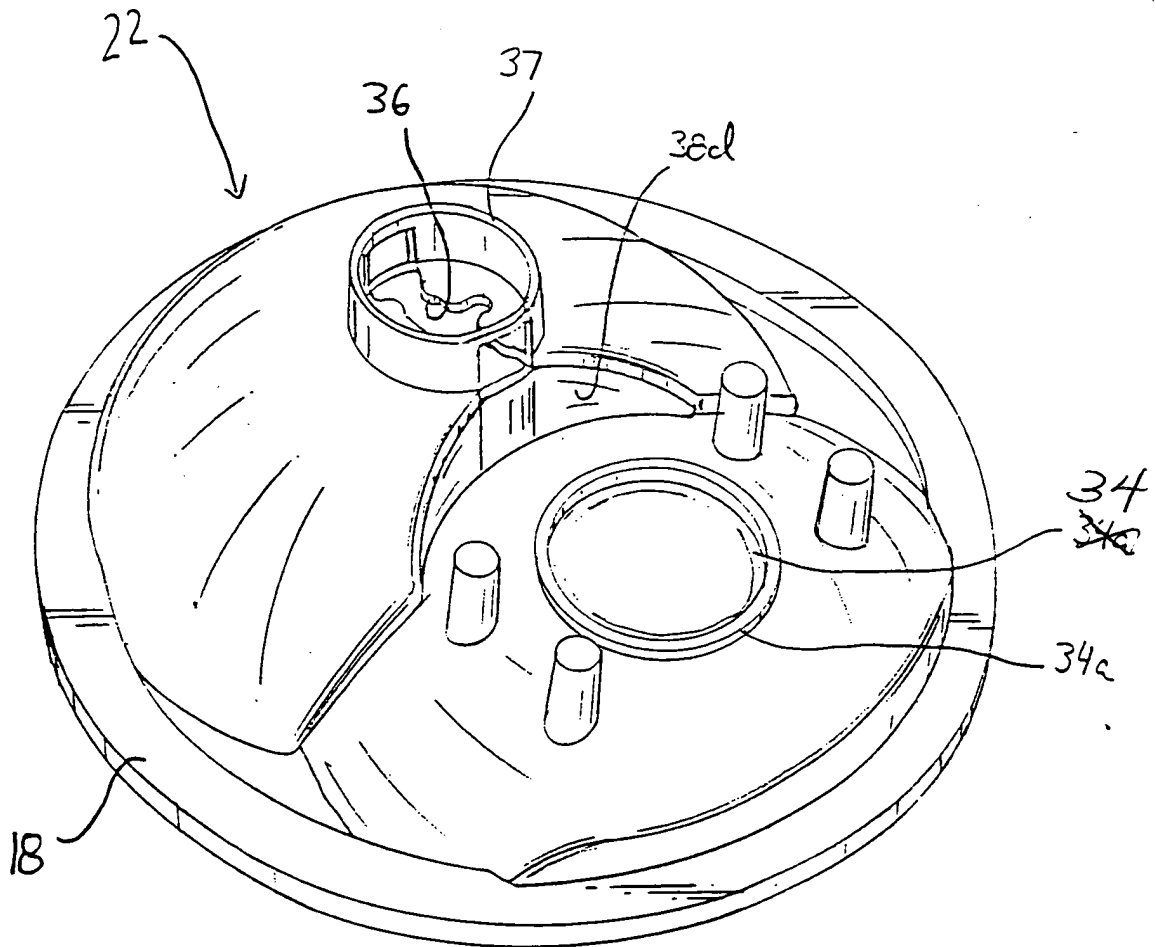


FIG. 4